

**ORDINANCE NO. 2025 - 21**

**AN ORDINANCE OF THE CITY COMMISSION OF DELAND, FLORIDA, CHANGING THE ZONING FROM VOLUSIA COUNTY'S A-3C TRANSITIONAL AGRICULTURE WITH A THOROUGHFARE OVERLAY ZONE, TO DELAND RESERVE PLANNED DEVELOPMENT (PD), ON PROPERTY LOCATED AT 210 NORTH RIDGEWOOD AVENUE; APPROVING A PLANNED DEVELOPMENT PLAN CONSISTING OF APPROXIMATELY 20.13 ACRES OF PROPERTY; MAKING FINDINGS OF CONSISTENCY WITH THE COMPREHENSIVE LAND USE PLAN FOR THE CITY OF DELAND; DIRECTING CHANGE IN THE COMPREHENSIVE ZONING MAP; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, the Applicant, Storch Law Firm (hereinafter referred to as "Applicant"), on behalf of the owner James K & Scarlet M Trust owns approximately 20.13 +/- acres of land located at 210 North Ridgewood Avenue, which is more particularly described in the legal description attached hereto as Exhibit "A" and by this reference made a part hereof; and

**WHEREAS**, the Applicant has applied for a change of zoning designation from Volusia County's A-3C Transitional Agriculture with a Thoroughfare Overlay Zone to DeLand Reserve Planned Development (PD); and

**WHEREAS**, the Applicant wishes to amend the zoning to planned development to develop the property into a 155-unit maximum residential subdivision; and

**WHEREAS**, said rezoning is consistent with both the Comprehensive Plan and the purpose and intent of Section 33-32 of the Code of Ordinances of the City of DeLand (the "Code"); and

**WHEREAS**, the Applicant has submitted an application for the approval of a development plan in order to amend the property zoning designation so as to change certain development standards for the property described in Exhibit "A" (hereinafter the "Property" or the "Project"); and

**WHEREAS**, the proposed development plan meets or exceeds the minimum conditions and standards for the PD District with respect to minimum development size, perimeter setbacks, comprehensive plan consistency, internal compatibility, external compatibility, open spaces, sidewalks, environmental constraints, internal access and circulation, external transportation access, off-street parking, public facilities and unified control; and

**WHEREAS**, the proposed development plan is consistent with the Medium Density Residential land use designation.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF DELAND, FLORIDA:**

**Section 1.** The City Commission has held a public hearing to approve the change of zoning from Volusia County's A-3C Transitional Agriculture with a Thoroughfare Overlay Zone to DeLand Reserve Planned Development (PD) on the property located at 210 North Ridgewood Avenue, consisting of approximately 20.13 +/- acres.

**Section 2.** Pursuant to the determination made at public hearing, the City Commission hereby amends the Comprehensive Zoning Map of the City to include the land described in Exhibit "A" as DeLand Reserve PD, Planned Development District.

**Section 3.** The zoning of the Property as Planned Development District (PD), is made pursuant to Section 33-32 of the Code and the development of the Property shall take place in accordance with that Section and in substantial compliance with the Development Plan Agreement, Maps and other supporting

documentation submitted by Applicant which shall be filed and retained for public inspection in the office of the City Planning Department and constitute a supplement to the official Zoning Map of the City.

**Section 4.** The approved Development Plan for DeLand Reserve PD, Planned Development District, including the Development Plan Agreement, Map and other supporting documentation (on file with the City Planning Department), are attached hereto as Exhibit "B" and by this reference made a part hereof.

**Section 5.** The failure of the approved Development Plan to address a particular permit, condition, term or restriction shall not relieve the Applicant of the necessity of complying with any law governing said permitting requirements, conditions, terms or restrictions, as same may be amended or enacted from time to time in the future. All current land development regulations of the City are applicable to the PD District except to the extent that they conflict with a specific provision of the approved Development Plan.

**Section 6.** At the time of development, the Applicant shall comply with all relevant building codes and development standards contained in the City's Code of Ordinances or in the Development Plan; provided, however, that the development standards contained in the adopted Development Plan shall supersede comparable standards contained in the Code of Ordinances.

**Section 7.** Pursuant to Article 5 of the City's Land Development Regulations, the Applicant shall comply with all applicable infrastructure regulations.

**Section 8.** The Planning Director is hereby directed to change the Comprehensive Zoning Map of the City of DeLand to conform with the change of zoning enacted in this Ordinance.

**Section 9.** If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, that holding shall in no way affect the validity of the remaining portions of this Ordinance.

**Section 10.** This Ordinance shall become effective immediately upon its adoption.

**PASSED AND DULY ADOPTED** this 17<sup>th</sup> day of November.



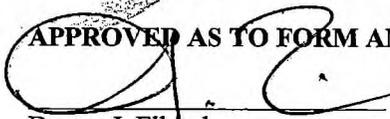
Christopher M. Cloudman  
Mayor - Commissioner

**ATTEST:**

  
Julie A. Hennessy  
City Clerk - Auditor

Passed on first reading: October 06, 2025  
Adopted on second reading: November 17, 2025

**APPROVED AS TO FORM AND LEGALITY:**

  
Darren J. Elkind  
City Attorney

## "EXHIBIT A"

**TITLE DESCRIPTION**

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF VOLUSIA, STATE OF FLORIDA AND IS DESCRIBED AS FOLLOWS:

A PARCEL OF LAND LYING IN GOVERNMENT LOT 4, SECTION 12, TOWNSHIP 17 SOUTH, RANGE 29 EAST AND GOVERNMENT LOT 1, SECTION 13, TOWNSHIP 17 SOUTH, RANGE 29 EAST, VOLUSIA COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID GOVERNMENT LOT 4, RUN THENCE S 00°02'59" W ALONG THE EAST LINE OF SAID GOVERNMENT LOT 4 A DISTANCE OF 400.00 FEET TO THE POINT OF BEGINNING, THENCE CONTINUE S 00°02'59" W ALONG SAID EAST LINE OF DISTANCE OF 867.52 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF STATE ROAD #44, BEING ON A CURVE CONCAVE TO THE SOUTH, HAVING A CENTRAL ANGLE OF 06°08'51", A RADIUS OF 7714.49 FEET, A CHORD BEARING OF S85°19'00" W AND A CHORD DISTANCE OF 827.33 FEET, THENCE RUN ALONG THE ARC AND SAID NORTHERLY RIGHT OF WAY LINE AN ARC DISTANCE OF 827.72 FEET TO A POINT IN SAID GOVERNMENT LOT 1, THENCE RUN N 07°45'26" W A DISTANCE OF 3.60 FEET TO A POINT ON THE NORTH LINE OF SAID GOVERNMENT LOT 1, ALSO BEING THE SOUTH LINE OF GOVERNMENT LOT 4, SAID POINT BEING ON THE WEST LINE OF THE EAST 825.00 FEET OF SAID GOVERNMENT LOT 4, THENCE RUN N 00°02'59" E ALONG SAID WEST LINE A DISTANCE OF 570.00 FEET, THENCE RUN N 89°44'24" W A DISTANCE OF 388.20 FEET, THENCE RUN N 00°55'19" E A DISTANCE OF 360.95 FEET, THENCE RUN S 89°56'42" E, A DISTANCE OF 1207.70 FEET TO THE POINT OF BEGINNING.

CONTAINING 20.137 ACRES, MORE OR LESS.

# EXHIBIT "B"

## PLANNED DEVELOPMENT AGREEMENT

THE CITY COMMISSION OF THE  
CITY OF DELAND, FLORIDA

Case # Z25-084

Application of DeLand Crossings, LLC

ORDINANCE # 2025-21

ORDER AND RESOLUTION

GRANTING A REQUEST FOR CHANGE OF ZONING FROM VOLUSIA COUNTY A-3C  
TO DELAND RESERVE PLANNED DEVELOPMENT (PD)

The application of DeLand Crossings, LLC, hereinafter "Applicant," for rezoning was heard by and before the City Commission, DeLand, Florida, on October 6, 2025 (First Reading) and November 17, 2025 (Second Reading). Based upon the verified Application and other supporting documents, maps, charts, overlays, other evidence and instruments; the advice, report, and recommendations of the Community Development, and other Departments and agencies of DeLand, Florida; and the testimony adduced and evidence received at the Public Hearing on this Application by the Planning Board held on September 10, 2025, and otherwise being fully advised, the City Commission does hereby find and determine as follows:

### GENERAL FINDINGS

A. That the application of Applicant was duly and properly filed herein on May 5, 2025 as required by law.

B. That all fees and costs which are by law, regulation, or Ordinance required to be borne and paid by the Applicant have been paid.

C. That the Applicant is the contract purchaser of a 20.13 +/- acres parcel of land which is the subject of this application and which land is situated in DeLand, Florida.





1 Development Plan shall govern the development of the property as a PD and shall regulate the  
2 future land use of this parcel.

3  
4 B. Planned Development Plan. The Planned Development Plan shall consist of the  
5 Development Plan Map prepared by American Civil Engineering Co. and dated May 2, 2025 and  
6 this Development Agreement. The Development Plan Map is hereby approved and incorporated  
7 in this Development Agreement by reference as Exhibit "B." The Planned Development Plan shall  
8 be filed and retained for public inspection in the Planning Division and it shall constitute a  
9 supplement to the Official Zoning Map of the City of DeLand.

10  
11 C. Amendments. All amendments of the Planned Development Plan shall require the  
12 review and recommendation of the Planning Board and action by the City Commission in the same  
13 manner as a rezoning of the parcel. No administrative amendments may be authorized.

14  
15 D. Subdivision Approval. After the Planned Development Plan is recorded, and prior  
16 to any construction, including clearing and landfill, the applicant or his successors shall comply  
17 with the subdivision review and approval requirements of Article 13 of the City of DeLand Land  
18 Development Regulations.

19  
20 E. Unified Ownership. The applicant or his successors shall maintain unified  
21 ownership of each phase on the subject property until after issuance and recordation in the public  
22 records of Volusia County of a final plat for that phase.

23  
24 F. Phases of Development. Development of the Property shall be accomplished in a  
25 single or multiple phases. Phasing for the development of the property may generally be provided  
26 per the attached Exhibit "B". There shall be no mass-grading of the property absent issuance of  
27 City permits for grading of each phase of development. No open burning shall be permitted. No  
28 vertical construction materials or combustible materials may be stored onsite for any phase of the  
29 development until the utilities and roads serving that specific phase have been inspected and  
30 approved by the City's Utilities, Engineering, and Fire Departments. Once the utilities and roads  
31 for a particular phase have been inspected and approved by the city, the Developer may apply for

1 and obtain Certificates of Occupancy (COs) for the units within that approved phase, regardless of  
 2 whether the utilities and roads in other phases have been approved or are still under construction.

3  
 4 G. Land Uses Within the PD. The location and size of said land use areas are generally  
 5 shown on the Development Plan Map, Exhibit "B." The following land uses shall be allowed as  
 6 permitted principal uses and structures along with their customary accessory uses and structures:

7 1. Permitted Uses:

- 8 Multiple-family dwellings (townhomes), and their customary accessory
- 9 uses
- 10 Single-family detached dwellings, and their customary accessory uses
- 11 Parks (tot lot and dog park)
- 12 Picnic areas/spaces
- 13 Open space areas

14  
 15 H. Development Standards. All development for the property shall rely upon the  
 16 standards set forth below as identified on the Planned Development Plan. Where this document is  
 17 silent, the R-8 Zoning regulations shall apply.

Development Standard	Overall Property
Number of lots/Maximum unit count	155
Max residential density Note: density shall be calculated based on the remaining acreage of the Property after any right-of-way dedication for N. Ridgewood Avenue	8 units per acre
Max. building height	35 ft.
Max. impervious surface	Overall impervious surfaces across the development shall not exceed 60%

18

19

1. Multiple-Family Residences.

Development Standard	
Min. lot width	20 ft.
Min. lot area	1,800 sq. ft
Min. lot depth	90 ft.

Min. setbacks for front-loaded townhome lots	Front yard: 20 ft. Garage setback: 25 ft. Rear yard: 10 ft. Side yard: 7.5 ft. Side yard (interior): 0 ft.
Min. setbacks for rear-loaded townhome lots (garages accessed from rear of lot)	Front yard: 10 ft. Rear yard: 5 ft. Side yard: 7.5 ft. Side yard (interior): 0 ft.
Min. building setback	Corner lot, side street: 10 ft. Adjacent to single-family: 40 ft.
Min. living area	950 sq. ft.
Max. lot coverage	70%
Max. building length	150 ft.
Min. building separation	15 ft. between sides of buildings; 25 ft. between sides and rear of adjacent buildings 50 ft. between any combination of fronts or rears of adjacent buildings.

1

2

## 2. Detached Single-Family Residences.

Development Standard	
Min. lot width	30 ft.
Min. lot area	2,850 sq. ft.
Min. lot depth	95 ft.
Min. setbacks for front-loaded lots	Front yard: 20 ft. Garage setback: 25 ft. Rear yard: 10 ft. Side yard: 5 ft.
Min. setbacks for rear-loaded lots (garages accessed from rear of lot)	Front yard: 15 ft. Rear yard: 5 ft. Side yard: 5 ft. Accessory Structures: 5 ft.
Min. setbacks for zero lot line <i>(The location of a building on a lot in such a manner that one or more of the building's sides rests directly on a lot line, provided that separations or setbacks between buildings meet all applicable building, fire code provisions, and PD development standards as provided herein)</i>	Front yard: 20 ft. Garage setback: 25 ft. Rear yard: 10 ft. Side yard: 0 ft. for the side where the home is placed against the lot line; 10 ft. on the nonzero side
Min. building setback	Corner lot, side street: 15 ft.
Min. living area	950 sq. ft.
Max. lot coverage	60%

Min. building separation	10 ft. between sides of buildings; 25 ft. between sides and rear of adjacent buildings 50 ft. between any combination of fronts or rears of adjacent buildings.
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1  
2           3.       Accessory Structures associated with detached single-family residential.

3       Unless otherwise stated herein, all accessory structures shall meet the development  
4       standards as outlined within the Land Development Regulations.

5           4.       Architectural Standards. The development shall comply with the provisions

6       of Section 33-94 of the City of DeLand Land Development Regulations, except as  
7       specifically otherwise provided for herein. Units shall be consistent with the architectural  
8       styles shown in the attached architectural elevations and townhome buildings shall  
9       incorporate at least two different rooflines and ridgelines per product type (rear-loaded and  
10       front-loaded), as shown in Exhibit "C". Four sided architectural elements shall be required  
11       for any building sides facing North Ridgewood Avenue and State Road 44.

12          5.       Signage. Signage for the subdivision shall be provided per the Land

13       Development Regulations. Signage shall not be located within the visibility triangle at the  
14       corner of New York Avenue and Ridgewood Avenue.

15          6.       Amenities/Community Enhancements. Community enhancements shall

16       include a park area with nature trail, seating areas, dog park and tot lot.

17          7.       Model Homes and Temporary Sales Offices. A maximum of two (2)

18       buildings with up to six (6) townhome model home units in each building (including one  
19       temporary sales/leasing office) may be constructed following approval of the preliminary  
20       plat and construction plans for the corresponding phase. A maximum of six (6) detached  
21       single-family model homes (including one temporary sales/leasing office) may be  
22       constructed. Construction of the model homes and temporary sales/leasing office may  
23       commence upon approval of a preliminary plat and final construction plans and completion  
24       of installation and activation of fire hydrants, and paved roads from the nearest open public  
25       road up to the point of the model home(s) within the said phase. Under no circumstances  
26       may the homes be occupied or otherwise utilized until such time as they are connected to  
27       potable water and sanitary sewer pursuant to a permit issued by the City of DeLand. The  
28       applicant and its successors and assigns shall be and remain jointly and severally liable for  
29       any violation of this provision. Furthermore, the applicant and its successors and assigns

1 hereby acknowledge and agree that any violation of this provision shall constitute a serious  
 2 threat to the public health, safety and welfare for purposes of Section 162.06(4), Florida  
 3 Statutes, hereby waive any argument in reference thereto, and waive any and all statutory  
 4 notice requirements as may otherwise be required for entry of a code enforcement lien.

5 8. Open Space. A minimum of 40% of the development shall be reserved as  
 6 Open Space. Such areas may include landscape buffers, stormwater ponds and Tree  
 7 Protection Area provided these areas meet the requirements of the Land Development  
 8 Regulations.

9 9. Landscape and Buffers Standards. All landscaping and buffers shall  
 10 generally utilize Florida-Friendly Landscaping, as defined by the University of  
 11 Florida/Institute of Food and Agricultural Sciences ("UF/IFAS") Center for Landscape  
 12 Conservation and Ecology, native, and low-water plant material and shall meet the  
 13 requirements of the Land Development Regulations. The development of the Property  
 14 shall include landscape designs such that plants will serve environmentally friendly  
 15 functions including, but not limited to, cooling, privacy screening, shade, aesthetics,  
 16 wildlife habitat, and runoff pollution prevention. Special consideration for species/plant  
 17 types around stormwater ponds should be taken to ensure compatibility in a more wet  
 18 environment. With the approval of the City Forester, understory species listed in the City  
 19 of DeLand's List of Approved Tree Replacement Species may be substituted for canopy  
 20 trees when adjacent to roadways or sidewalks, where root-related damage is a concern.

21 A. Perimeter Buffers. Except as otherwise specifically provided for in  
 22 this Development Agreement, the perimeter buffers of the development shall  
 23 comply with the landscape buffer width and planting requirements provided for in  
 24 the Land Development Regulations. As shown on Exhibit "B", the buffer types  
 25 shall be as follows:

<u>LOCATION</u>	<u>TYPE</u>
NORTH	C
SOUTH	D
EAST	B
WEST	D

26

1 The west landscape buffers shall provide a 6-foot, 100% opaque screening fence  
2 (PVC fence). The north landscape buffer shall incorporate dense vegetation  
3 designed to create a visual screen and establish privacy between the Property and  
4 the adjoining neighborhood. A fence is permitted on the north property line and  
5 may be placed within the buffer plantings to reduce the fence's visibility. A variety  
6 of tree heights will be incorporated into the north landscape buffer to enhance  
7 privacy for the adjoining residential community, as generally depicted on the  
8 preliminary landscape plan (Exhibit "B"). It is intended that the existing trees  
9 within the landscape buffers are to be preserved and additional tree species will be  
10 added to this pine plantation tree buffer. As additional protection for the adjoining  
11 residents during Phase 1 construction, the existing trees in the north perimeter  
12 buffer will remain in place to act as a buffer until site work necessitates their  
13 removal.

14 B. Subdivision Entryways. Perimeter landscaping at subdivision  
15 entryways shall be installed to screen the sides of proposed dwellings from  
16 pedestrian viewpoints, utilizing plant materials that provide screening between 3  
17 feet and 8 feet in height at maturity. Screening shall focus on softening views rather  
18 than achieving full opacity.

19  
20 10. Parking Standards.

- 21 1. Parking shall be provided at a ratio of two (2) parking spaces per  
22 residential lot, together with an additional allocation of 0.25 guest  
23 parking spaces per residential lot. Required parking shall be provided  
24 through a combination of garage, driveway, and on-street parking  
25 spaces.
- 26 2. All driveway parking spaces for front-loaded lots shall be a minimum  
27 of nine (9) feet wide by twenty-five (25) feet long. Driveways shall be  
28 measured from the garage door to the edge of the sidewalk closest to the  
29 garage door.
- 30 3. To the extent practicable, the placement of driveways within alleys  
31 should be minimized to promote visual quality. While the reduction of

1 driveway parking within alleys is encouraged, driveways for rear-  
2 loaded homes are permitted where necessary to ensure functional site  
3 design, adequate grading, or compliance with other applicable  
4 requirements.

5 4. On-street parking shall be provided in various locations within the  
6 Property.

7 5. On-street parallel parking spaces shall be nine (9) feet by twenty-two  
8 (22) feet measured to back of drop curb.

9 6. Perpendicular parking spaces are sized nine (9) feet by eighteen (18)  
10 feet.

11 7. Cross sections of the roadway illustrating typical design for parking on  
12 one or both sides of the street are included in Exhibit "B".

13  
14 I. Environmental Considerations. The development shall comply with the  
15 requirements as set forth in the Land Development Regulations.

16 1. Tree Protection Area (TPA). A minimum of 15% of the development shall  
17 be reserved as TPA, per the Land Development Regulations, and shall be maintained as  
18 generally depicted on Exhibit "B", which may be modified based upon an updated tree  
19 survey during the platting process so long as the minimum 15% of development area and  
20 30-foot width is preserved. The ultimate configuration will be determined through the  
21 platting process. Permeable materials may be utilized for pathways located within tot lots  
22 and dog parks designated as Tree Protection Areas. A certified arborist shall prepare and  
23 submit a plan demonstrating that the proposed materials and installation methods will not  
24 negatively impact existing trees.

25 2. Tree mitigation shall be reviewed and approved per the Land Development  
26 Regulations.

27 3. Street Trees. Street trees may be planted within the rights of way within the  
28 Property and said trees may be included in mitigation calculations. Street tree installation,  
29 based upon the approved landscape plan, shall be required on a lot-by-lot basis and must  
30 be planted prior to the issuance of a certificate of occupancy for that particular lot.

1           4.       In meeting the minimum tree coverage requirements of the City's LDR's,  
2 required trees may be located within common areas of the project which are adjacent to the  
3 structures. The homeowner's association required for the development shall be responsible  
4 for ensuring the preservation and, if necessary, the replacement of required trees. The  
5 foregoing provision is not intended to divest the City of its code enforcement authority  
6 relative to required trees but places an additional burden on the homeowner's association  
7 to proactively enforce the tree requirements.

8           5.       A tree survey of all trees 6" DBH or larger is required as part of the review  
9 process for the platting and development of the project. The survey shall, at a minimum,  
10 identify all specimen and historic trees on the Property.

11           6.       Palm trees and understory trees from the City of DeLand List of Approved  
12 Tree Replacement Species shall account for no more than 25 percent of required trees.

13           7.       On-Site Burning of Cleared Vegetation Prohibited. Vegetation and other  
14 biomass cleared from the Property during development may not be incinerated on-site.

15           8.       Stormwater Drainage. The stormwater system shall be designed to retain, at  
16 a minimum, the one hundred-year, 24-hour storm event. The stormwater system shall also  
17 hold the entire volume of such storm event. In all other regards, the stormwater retention  
18 shall be in accordance with the Land Development Regulations.

19           9.       Dark Sky Standards. All lighting shall comply with Dark Sky standards and  
20 be of the full cut-off, fully-shielded variety in which the light source is recessed and  
21 shielded which prohibits upward light overspill into the night sky and off-site nuisance  
22 glare.

23           10.      Low Impact Development (LID) Standards. The development has been laid  
24 out in a manner to best accommodate the existing topography, drainage and known  
25 environmental conditions identified on the property. However, the actual location and  
26 layout of the developed areas within the Property shall be determined during preliminary  
27 plat review. The design shall incorporate green infrastructure such as rain gardens and/or  
28 vegetative swales as appropriate to mimic the natural environment. The following Low  
29 Impact Development elements shall be provided:

30 A.      Stormwater Plantings. All stormwater ponds shall utilize supplemental plantings to  
31 enhance the functionality and/or aesthetics of the stormwater system. Littoral plantings shall be

1 utilized if viability is likely - i.e. if a stormwater pond is designed to remain wet. If a pond is  
2 designed to remain dry and littoral plantings are unlikely to survive, the supplemental plantings  
3 shall be Florida Friendly plants.

4 J. Sewage Disposal, Potable Water and Reclaimed Water. Provision for sewage  
5 disposal, potable and reclaimed water needs of the PD will be provided in accordance with the  
6 Comprehensive Plan, the Land Development Regulations, and State of Florida Administrative  
7 Code 64E-6. Reclaimed water is not currently available to the Property. Upon reclaimed water  
8 becoming available to the site, the development will be required to connect to reclaimed water for  
9 both the individual lots and any common areas that are irrigated, but the development shall not be  
10 required to have a pond or other facility for receiving and retaining reclaimed water.

11  
12 K. Access and Transportation System Improvements. All access and transportation  
13 system improvements shall be provided in accordance with the Land Development Regulations.  
14 The property shall be developed in substantial accordance with the following access and  
15 transportation system improvements:

16 1. Access Points. Access to the site will be from two entrances on North  
17 Ridgewood Avenue, as shown in Exhibit "B". The Planned Development Plan indicates  
18 the anticipated connection locations; however, the final locations may vary due to final  
19 engineering design and permitting considerations.

20 2. Transportation System Improvements. Transportation system  
21 improvements will be provided as required by permitting agencies and as needed according  
22 to the Traffic Impact Analysis (TIA) for the project.

23 3. Sidewalks and Multi-use trails. Five (5) foot wide ADA accessible  
24 sidewalks shall be provided throughout the subdivision. Sidewalks shall not be required  
25 within alleyways.

26 4. Internal Roadways. Internal right-of-way dimensions shall be a minimum  
27 of 50 feet in width. Alleyways shall consist of at least 14 feet of paved roadway width. Right-of-  
28 way and alleyway dimensions shall be as shown in Exhibit "B" and constructed in accordance with  
29 the Land Development Regulations. All internal rights-of-way will be publicly owned and  
30 dedicated to the City.

31

1           L.     Homeowners Association (HOA). The Applicant shall create a homeowner's  
2 association, which shall be responsible for owning and maintaining all common areas, shared use  
3 facilities, alleyways and internal sidewalks. The HOA shall be responsible for the maintenance of  
4 Low Impact Design Elements and Stormwater System, and in no event shall either be the  
5 responsibility of the City of DeLand. The HOA shall be responsible for the maintenance of street  
6 trees. Moreover, the HOA shall also be responsible to repair any and all impacts upon the right of  
7 way infrastructure created by the presence of said trees, including any road, sidewalk, curb and  
8 gutter facilities. The charter and by-laws of said association and any other agreements, covenants,  
9 easements or restrictions shall be furnished to the City of DeLand for review prior to the time of  
10 creation. The Applicant shall be responsible for recording said information in the Public Records  
11 of Volusia County, Florida. Also, the applicant shall bear and pay all costs for recording all of the  
12 aforementioned documents. Furthermore, the HOA Declaration shall include a provision  
13 prohibiting short term rentals in the community and governing the placement of trash receptacles  
14 in front yards.

15  
16           With respect to the enforcement of said agreements, covenants, easements or restrictions  
17 entered into between the Applicant and the owners or occupiers of property within the Deland  
18 Reserve PD, the City of DeLand shall only enforce the provisions of the "Development  
19 Agreement" and City of DeLand Land Development Regulations whichever is applicable, and not  
20 the private agreements entered into between the aforementioned parties.

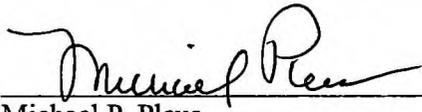
21  
22           M.     Expiration. The terms of this Development Agreement shall be vested upon  
23 issuance of a final plat development order for the development issued within five (5) years from  
24 the effective date of the ordinance which adopts the Planned Development Plan unless the City  
25 Commission, for good cause shown, extends the time period indicated in this paragraph. If not  
26 vested by said date, the Planned Development Plan shall expire and will be of no further force or  
27 effect and no development shall occur on the subject property until it is rezoned. The City  
28 Commission may rezone the subject property as may be necessary or appropriate to protect  
29 adjoining properties or the public health, safety and welfare if the Planned Development Plan  
30 expires.

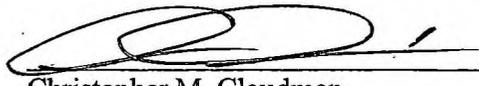
1           N.     Binding Effect of Plans; Recording; and Effective Date. The Planned Development  
2 Plan, including any and all amendments, shall bind and inure to the benefit of the Applicant and  
3 its successors in title or interest. The DeLand Reserve PD zoning, provisions of the “Development  
4 Agreement,” and all approved plans shall run with the land and shall be administered in a manner  
5 consistent with Article XII of the City of DeLand Land Development Regulations.

6           This Ordinance and all subsequent amendments shall be filed with the Clerk of the Court  
7 and recorded within forty-five (45) days following execution of the document by the City  
8 Commission, in the Official Records of Volusia County, Florida. One copy of the document,  
9 bearing the book and page number of the Official Record in which the document was recorded,  
10 shall be submitted to the Planning Department for placement in the public file. The date of  
11 recording of this document shall constitute the effective date of the DeLand Reserve PD or its  
12 subsequent amendments. The Applicant shall pay all filing costs for recording documents.

1 DONE and ORDERED by the City Commission, City of DeLand, Florida, this 17th day of  
2 November, 2025.

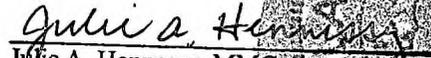
3  
4 ATTEST: City Commission of DeLand, Florida

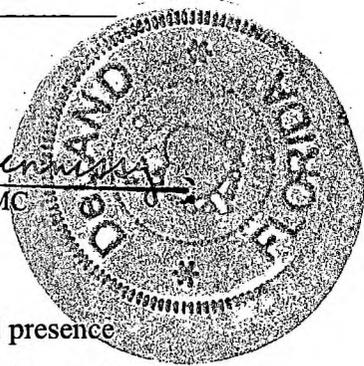
5  
6   
7 \_\_\_\_\_  
8 Michael P. Pleus  
9 City Manager

  
\_\_\_\_\_

Christopher M. Cloudman  
Mayor

ATTEST:

  
\_\_\_\_\_  
Julie A. Hennessy, MMC  
City Clerk - Auditor



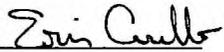
10  
11 STATE OF FLORIDA  
12 COUNTY OF VOLUSIA

13  
14 The foregoing instrument was acknowledged before me by means of  physical presence  
15 or  online notarization this 17 day of NOVEMBER, 2025, by Michael P. Pleus and  
16 Christopher M. Cloudman, as City Manager and Mayor of the City of DeLand,  
17 respectively, on behalf of the City of DeLand, and who are personally known to me.



18  
19 NOTARY PUBLIC, STATE OF FLORIDA

Type or Print Name:

20  
21 ERIN CARELLO 

22 Commission No.: HH 642022

23 My Commission Expires: FEB. 18, 2029

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WITNESSES:

APPLICANT: DELAND CROSSINGS, LLC, a  
Florida limited liability company

Alvaro Guzziani

ALvaro Guzziani

Printed Name

By: MAS Land Venture Opportunity  
Management, LLC, a Florida limited  
liability company, its Manager

Nika Zyryanova

Nika Zyryanova

Printed Name

By: MAS Development, LLC, a Florida  
limited liability company, its  
Manager

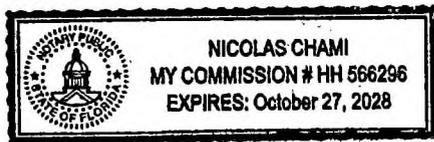
By: Alan Benenson

Alan Benenson, Manager

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me by means of  physical presence  
or  online notarization this 17 day of NOVEMBER, 2025, by Alan Benenson, as Manager of  
MAS Development, LLC, a Florida limited liability company, the Manager of MAS Land Venture  
Opportunity Management, LLC, a Florida limited liability company, the Manager of DeLand  
Crossings, LLC, a Florida limited liability company, who is  personally known to me or   
who has produced \_\_\_\_\_ as identification.



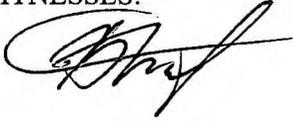
NOTARY PUBLIC, STATE OF FLORIDA

Type or Print Name: Nicolas Chami

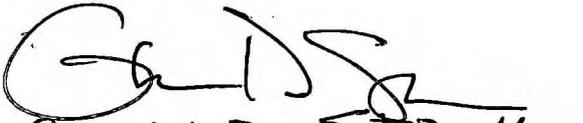
Commission No.: HH566296

My Commission Expires: 10-27-2028

1 WITNESSES:

2 

3  
4  
5 Nika Zyryanova  
6 Printed Name

7   
8  
9 GLENN D. STORCH  
10

11 Printed Name

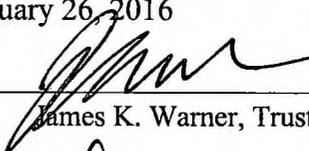
12  
13 STATE OF FLORIDA

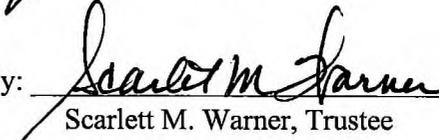
14 COUNTY OF Miami-Dade

15  
16 The foregoing instrument was acknowledged before me by means of  physical presence or  online  
17 notarization this 17<sup>th</sup> day of November, 2025, by James K. Warner and Scarlett M. Warner, as  
18 Trustees of The Warner Family Trust dated February 26, 2016, who are  personally known to me or  
19 \_\_\_\_\_ who have produced \_\_\_\_\_ as identification.

OWNER:

James K. Warner and Scarlett M. Warner, as  
Trustees of The Warner Family Trust dated  
February 26, 2016

By:   
James K. Warner, Trustee

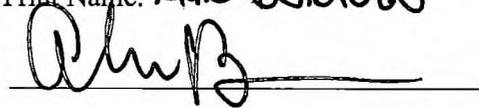
By:   
Scarlett M. Warner, Trustee

21 NOTARY PUBLIC, STATE OF FLORIDA



22 **ALAN BENENSON**  
Commission # HH 630338  
Expires May 16, 2029

23 Type or Print Name: Alan Benenson



24 Commission No.: HH 630338

25 My Commission Expires: 5-16-2029

"EXHIBIT A"

**TITLE DESCRIPTION**

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF VOLUSIA, STATE OF FLORIDA AND IS DESCRIBED AS FOLLOWS:

A PARCEL OF LAND LYING IN GOVERNMENT LOT 4, SECTION 12, TOWNSHIP 17 SOUTH, RANGE 29 EAST AND GOVERNMENT LOT 1, SECTION 13, TOWNSHIP 17 SOUTH, RANGE 29 EAST, VOLUSIA COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

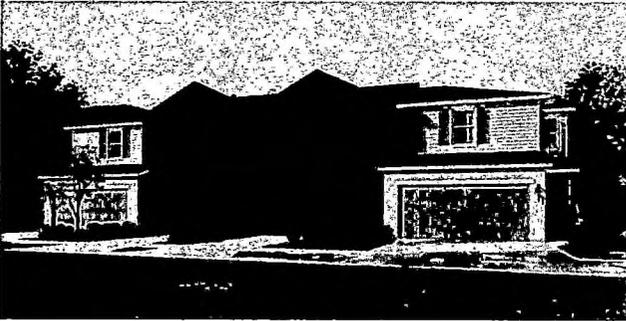
COMMENCING AT THE NORTHEAST CORNER OF SAID GOVERNMENT LOT 4, RUN THENCE S 00°02'59" W ALONG THE EAST LINE OF SAID GOVERNMENT LOT 4 A DISTANCE OF 400.00 FEET TO THE POINT OF BEGINNING, THENCE CONTINUE S 00°02'59" W ALONG SAID EAST LINE OF DISTANCE OF 867.52 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF STATE ROAD #44, BEING ON A CURVE CONCAVE TO THE SOUTH, HAVING A CENTRAL ANGLE OF 06°08'51", A RADIUS OF 7714.49 FEET, A CHORD BEARING OF S85°19'00" W AND A CHORD DISTANCE OF 827.33 FEET, THENCE RUN ALONG THE ARC AND SAID NORTHERLY RIGHT OF WAY LINE AN ARC DISTANCE OF 827.72 FEET TO A POINT IN SAID GOVERNMENT LOT 1, THENCE RUN N 07°45'26" W A DISTANCE OF 3.60 FEET TO A POINT ON THE NORTH LINE OF SAID GOVERNMENT LOT 1, ALSO BEING THE SOUTH LINE OF GOVERNMENT LOT 4, SAID POINT BEING ON THE WEST LINE OF THE EAST 825.00 FEET OF SAID GOVERNMENT LOT 4, THENCE RUN N 00°02'59" E ALONG SAID WEST LINE A DISTANCE OF 570.00 FEET, THENCE RUN N 89°44'24" W A DISTANCE OF 388.20 FEET, THENCE RUN N 00°55'19" E A DISTANCE OF 360.95 FEET, THENCE RUN S 89°56'42" E, A DISTANCE OF 1207.70 FEET TO THE POINT OF BEGINNING.

CONTAINING 20.137 ACRES, MORE OR LESS.

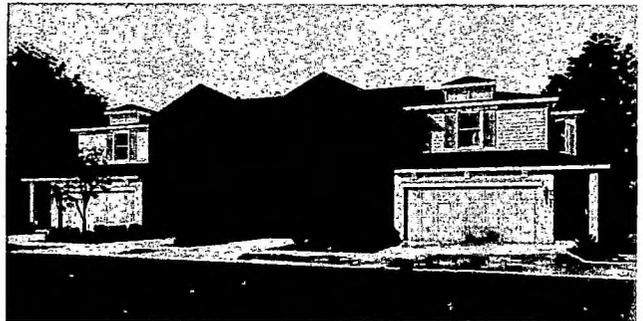


"EXHIBIT C"

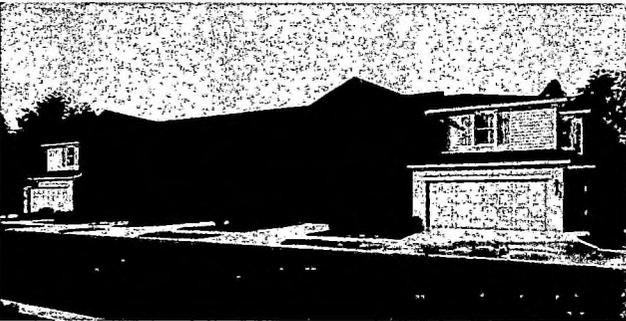
# Conceptual Elevations - Front Load Townhomes



Elevation A



Elevation B



Elevation C



Elevation D

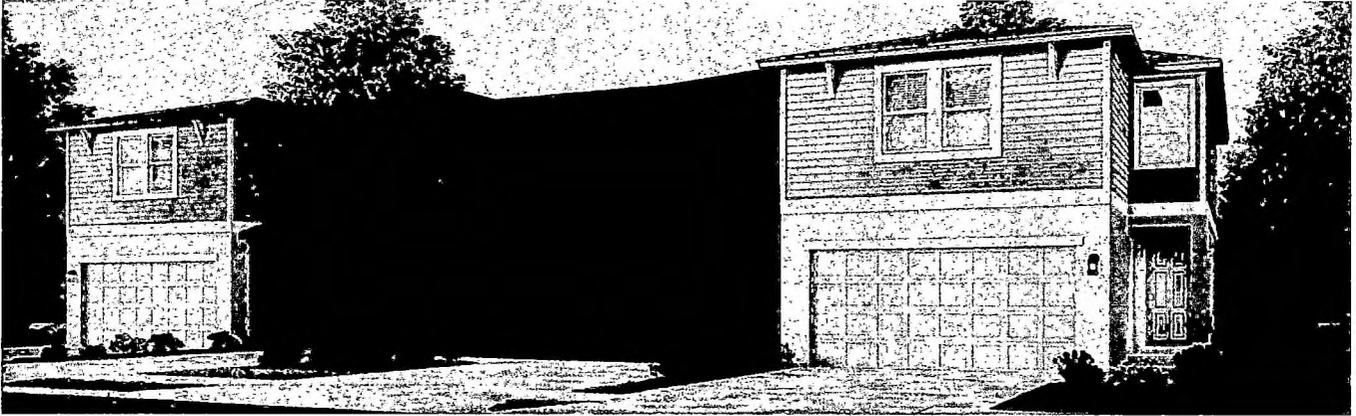


Elevation E

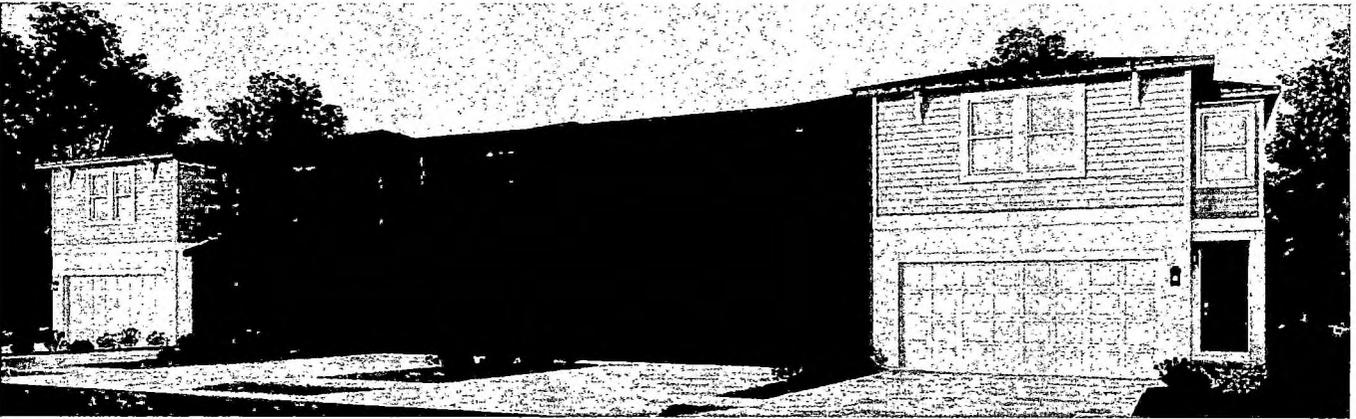


Elevation F

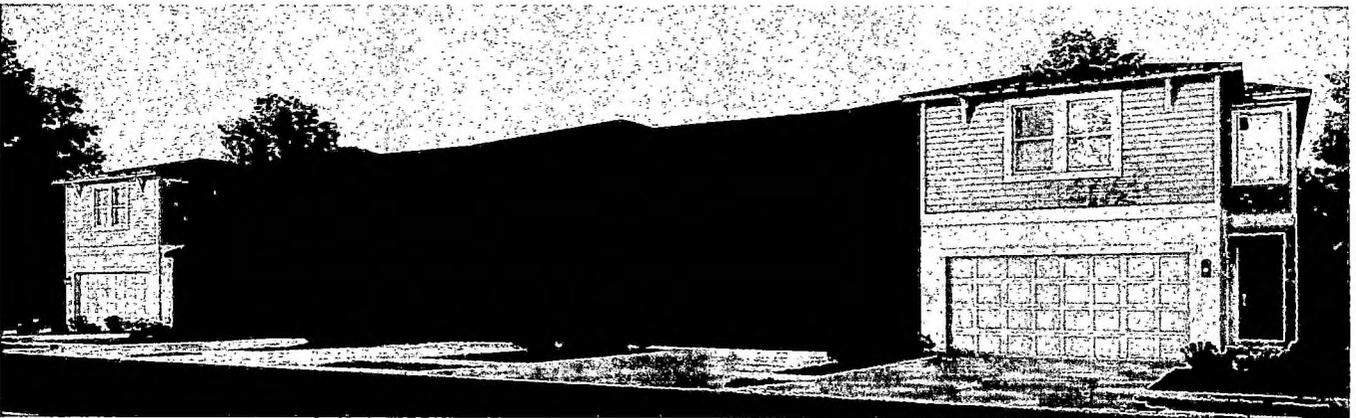
# Conceptual Elevations - Front Load Townhomes



Elevation A



Elevation B



Elevation C

# Conceptual Elevations - Front Load Townhomes



Elevation A



Elevation B



Elevation C



Elevation E



Elevation D

# Conceptual Elevations - Front Load Townhomes



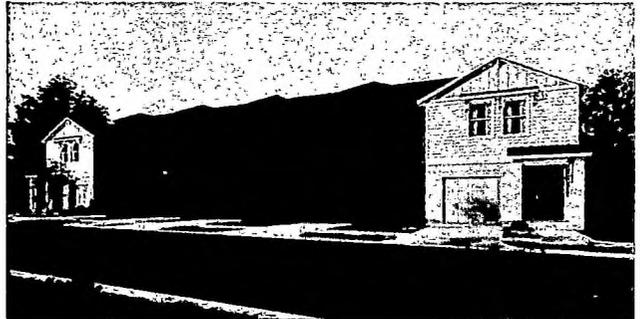
Elevation A



Elevation B



Elevation C



Elevation D

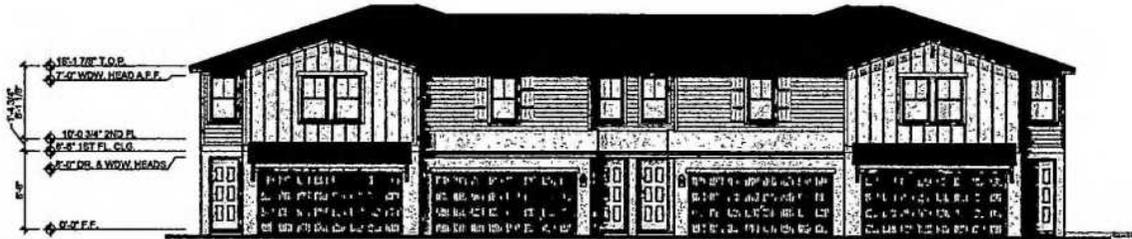
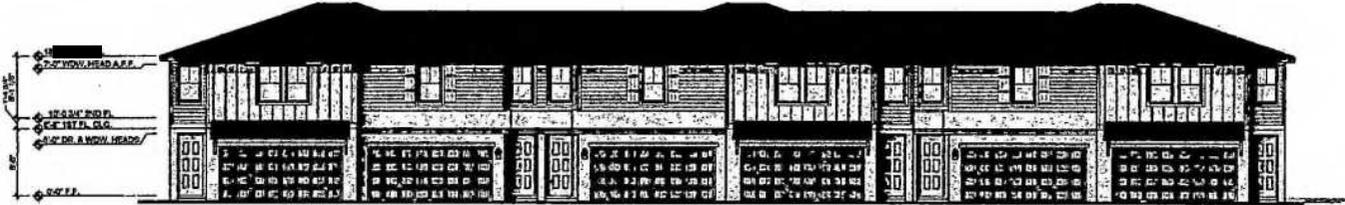


Elevation E

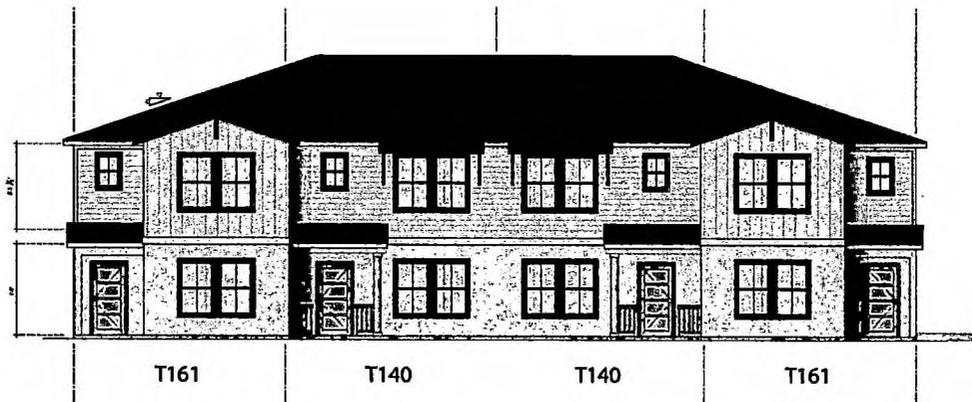
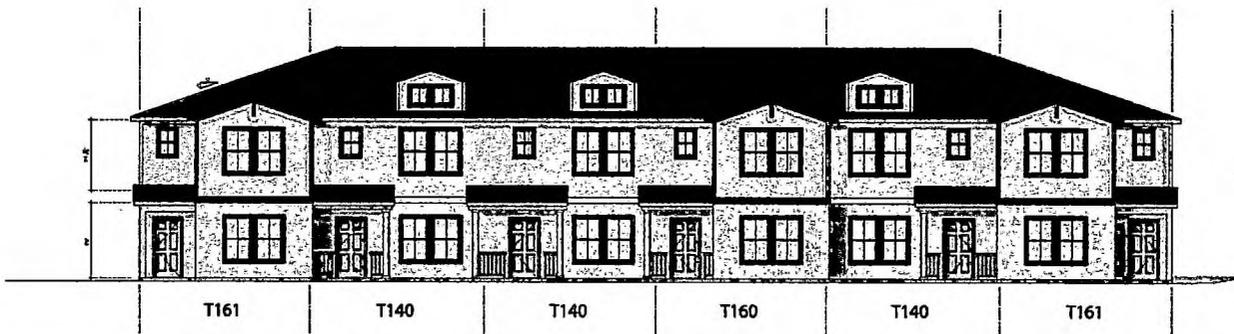
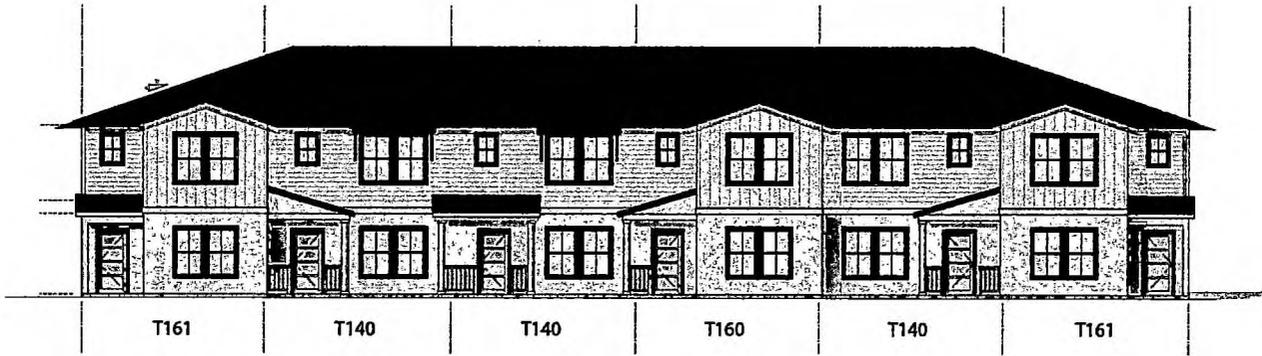
# Conceptual Elevations - Rear Load Townhomes



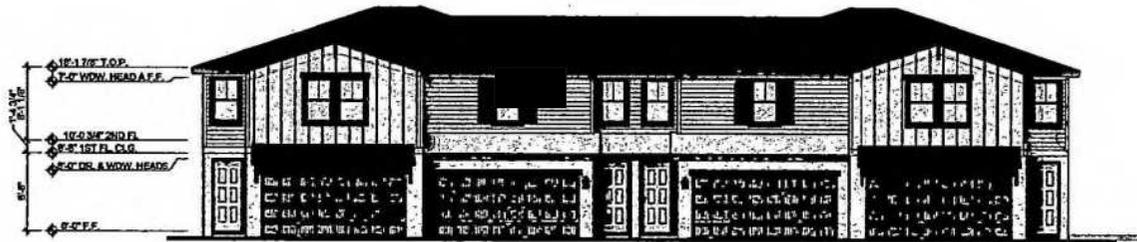
# Conceptual Elevations - Rear Load Townhomes



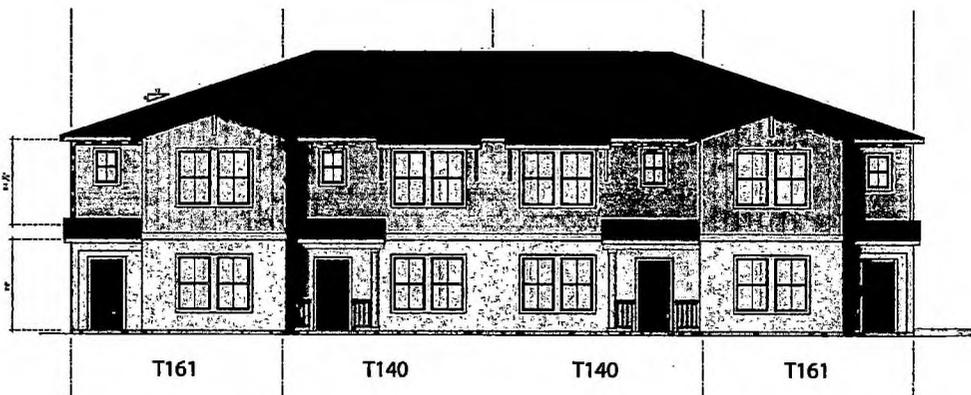
# Conceptual Elevations - Rear Load Townhomes



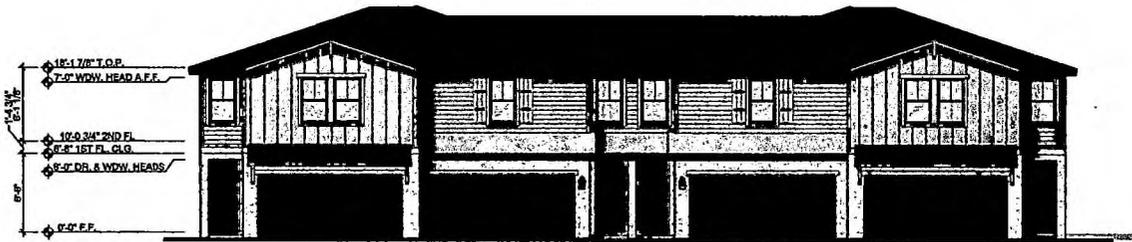
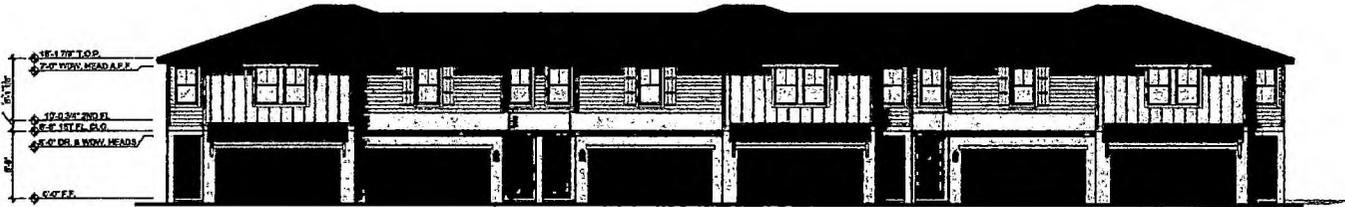
# Conceptual Elevations - Rear Load Townhomes



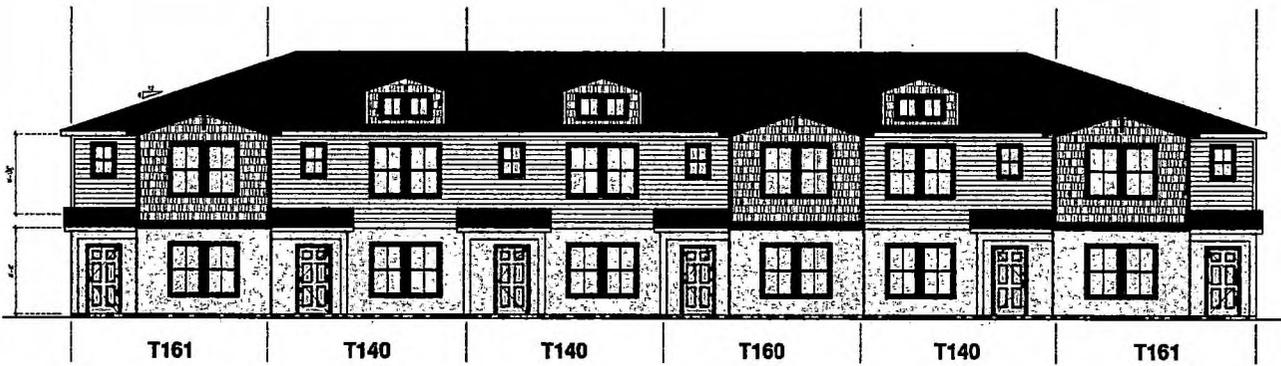
# Conceptual Elevations - Rear Load Townhomes



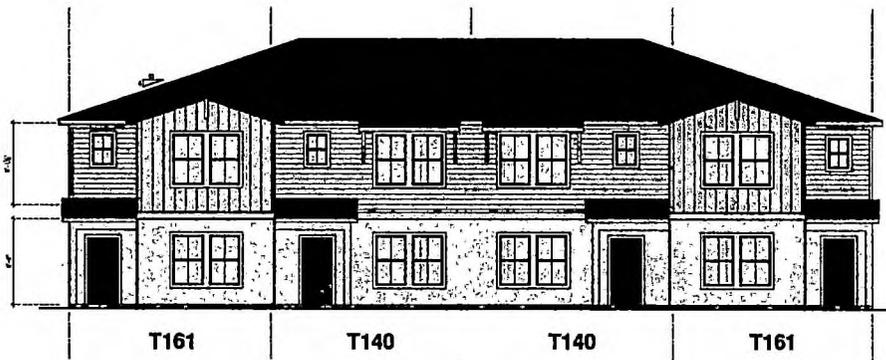
# Conceptual Elevations - Rear Load Townhomes



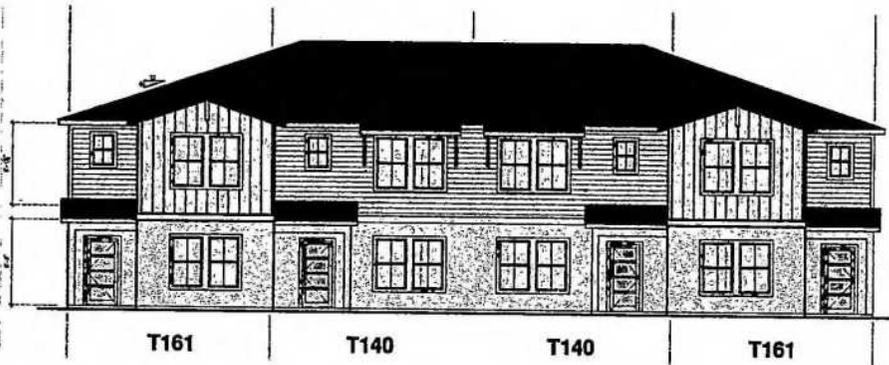
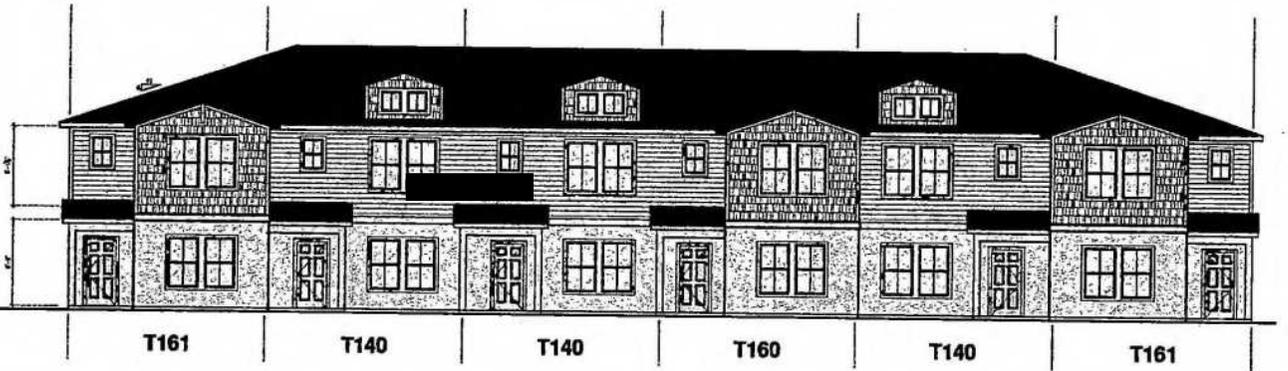
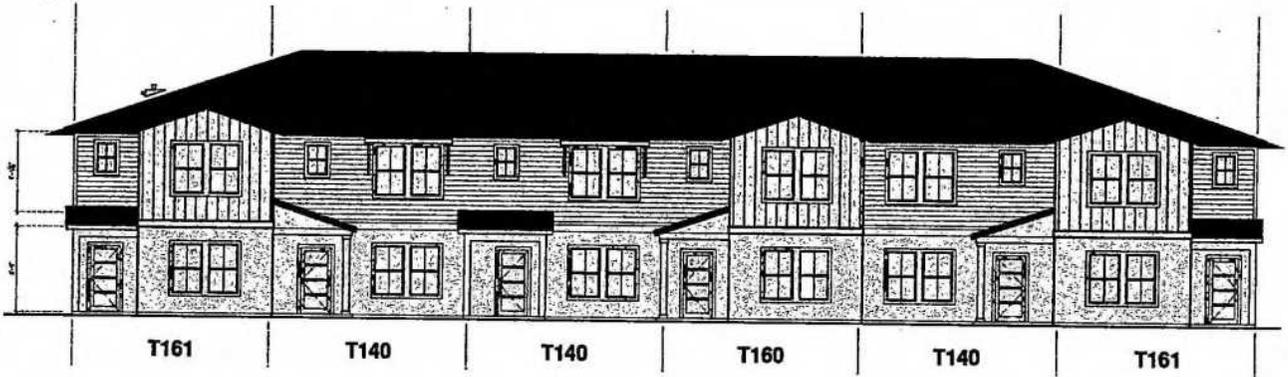
# Conceptual Elevations - Rear Load Townhomes



# Conceptual Elevations - Rear Load Townhomes



# Conceptual Elevations - Rear Load Townhomes



# Conceptual Elevations - Front Load Single Family



Elevation A



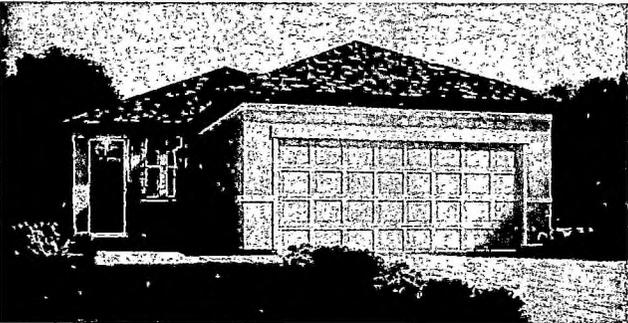
Elevation B



Elevation C



Elevation D



Elevation E



Elevation F

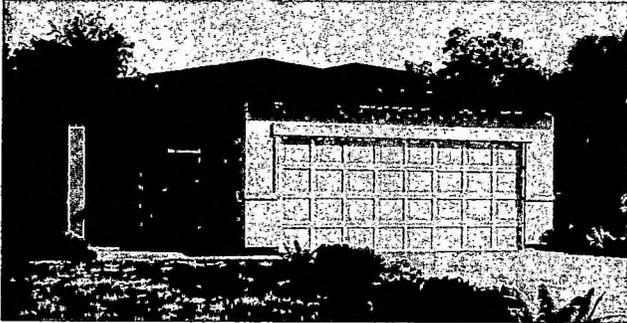


Elevation G



Elevation H

# Conceptual Elevations - Front Load Single Family



Elevation A



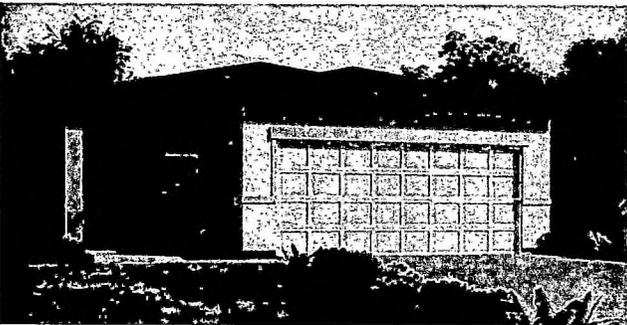
Elevation B



Elevation C



Elevation D



Elevation E



Elevation F



Elevation G



Elevation H

# Conceptual Elevations - Front Load Single Family



Elevation A



Elevation B



Elevation C



Elevation D

# Conceptual Elevations - Front Load Single Family



Elevation A



Elevation B



Elevation C



Elevation D



Elevation E

# Conceptual Elevations - Front Load Single Family



Elevation A



Elevation B



Elevation C



Elevation D



Elevation E

# Conceptual Elevations - Rear Load Single Family



Elevation A



Elevation B



Elevation C



Elevation K



Elevation L



Elevation M

# Conceptual Elevations - Rear Load Single Family



Elevation A



Elevation B



Elevation C



Elevation K



Elevation L



Elevation M

# Conceptual Elevations - Rear Load Single Family



Elevation A



Elevation B



Elevation C



Elevation K



Elevation L



Elevation M

# Conceptual Elevations - Rear Load Single Family



Elevation A



Elevation B



Elevation C



Elevation K



Elevation L



Elevation M